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April 7, 2006

VIA E-MAIL AND ELECTRONIC FILING

800 MHz Transition Administrator LLC
c/o Robert B. Kelly
Squire, Sanders & Dempsey L.L.P.
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, DC 20044-0407

Re: Modified Election of Coastal SMR Network, L.L.C. to Relocate Site-Based Licenses to the Guard Band; WT Docket No. 02-55

Dear Mr. Kelly:

Southern Communications Services, Inc. d/b/a SouthernLINC Wireless ("SouthernLINC Wireless"), by and through its undersigned counsel, hereby submits this partial opposition to Coastal SMR Network, L.L.C.'s ("Coastal") Expansion Band relocation election.¹ Although SouthernLINC Wireless has no objection to Coastal's request to relocate its site-based licenses to the Expansion Band per se, the Transition Administrator should affirm that Coastal may not relocate the frequencies licensed under call signs WPGD627 and WPFZ978 to the 860-861 MHz band in the southeastern United States.

The requested relocation election is inappropriate because it would conflict with the unique band plan adopted for the southeastern United States.² In the *Report and Order*, the FCC expanded the new Enhanced Specialized Mobile Radio ("ESMR") band in the Southeast after recognizing that "there are an inadequate number of channels in the 816-824 MHz/861-869 MHz band

¹ Modified Elections of Coastal SMR Network, L.L.C., CRSC Holding, Inc. and A.R.C., Inc. d/b/a Antenna Rentals Corp. to Relocate EA and Site-Based Licenses to the ESMR Band; Modified Election of Coastal SMR Network, L.L.C. to Relocate Site-Based Licenses to the Guard Band, WT Docket No. 02-55 (Mar. 31, 2006) [hereinafter *Coastal Election*].

² The FCC defines the southeastern United States in section 90.614(c) of its amended rules. 47 C.F.R. § 90.614(c) (2005).

segment to replicate the existing channel capacity of both Southern LINC and Nextel."³ While the FCC designated the 813.5-824 MHz/858.5-869 MHz band segment as the new ESMR band, it shifted the Expansion Band from 815-816 MHz/860-861 MHz to 812.5-813.5 MHz/857.5-858.5 MHz in the Southeast.⁴

On March 31, 2006, Coastal submitted a letter to the Transition Administrator asking to relocate its site-based licenses under call signs WPGD627 and WPFZ978 "to the uppermost portion of the expansion band (860-861 MHz)."⁵ The base station transmitters for these call signs are located in Greenwood County, South Carolina, which the FCC includes in its new definition of the "Southeast."⁶

Consequently, Coastal may not relocate the site-based frequencies licensed under call signs WPGD627 and WPFZ978 to the 860-861 MHz band because the FCC designated the 813.5-824 MHz/858.5-869 MHz band segment as the new ESMR band in the Southeast. Non-ESMR Economic Area ("EA") licensees may relocate their associated site-based licenses to the ESMR band only if they "were part of the licensee's integrated communications system" on November 22, 2004.⁷ Coastal has indicated that the site-based licenses under call signs WPGD627 and WPFZ978 were not part of its integrated communications system as of that date.⁸ Accordingly,

³ In re Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, 19 FCC Rcd 14969, 15057 ¶ 164, 15058 ¶ 166 (2004).

⁴ *Id.* at 15058 ¶ 166. In the instructions to the Expansion Band Election Form, the Transition Administrator reiterated this restriction on relocation to the Expansion Band in the Southeast. The Transition Administrator reminded licensees that the Expansion Band is "812.5-813.5 MHz/857.5-858.5 MHz in certain areas of the Southeast U.S. (specifically, certain counties in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, *South Carolina*, and Tennessee where the new 800 MHz band is modified)." Transition Administrator, 800 MHz Reconfiguration – Expansion Band Election Form, at http://www.800ta.org/content/PDF/forms/EBE_Form.pdf. (emphasis added). The Transition Administrator further advised "[p]otentially affected licensees in the Southeast U.S. . . . [to] consult the FCC's Second Erratum to the 800 MHz Order for additional information. *Id.*

⁵ *Coastal Election* at 2 ¶ 4.

⁶ 47 C.F.R. § 90.614(c).

⁷ In re Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Memorandum Opinion and Order*, 20 FCC Rcd 16015 ¶ 25 (2005).

⁸ Modified Elections of Coastal SMR Network, L.L.C., CRSC Holding, Inc. and A.R.C., Inc. d/b/a Antenna Rentals Corp. to Relocate EA and Site-Based Licenses to the ESMR Band; Modified Election of Coastal SMR Network, L.L.C. to Relocate Site-Based Licenses to the Guard Band, WT Docket No. 02-55 at 2, Attachment 3, Exhibit D (Feb. 2, 2006).

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it may not relocate them to the 860-861 MHz portion of the band. Coastal may request relocation of these licensed frequencies to the new Expansion Band at 812.5-813.5 MHz/857.5-858.5 MHz.

Thus, SouthernLINC Wireless respectfully requests that the Transition Administrator affirm that Coastal may not relocate its site-based frequencies under call signs WPGD627 and WPFZ978 to the 860-861 MHz band.

Pursuant to Section 1.1206 of the FCC's Rules, a copy of this letter is being submitted electronically in the above-referenced FCC docket.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Christine M. Gill".

Christine M. Gill

Attachment

cc: Catherine W. Seidel
David Furth
Michael J. Wilhelm
Ramona Melson
Brian Marengo
Roberto Mussenden
Julian L. Shepard, Williams Mullen
Marlene H. Dortch, Secretary, FCC